

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

ESPERANZA DE LA CRUZ

DEBTOR

CASE NO. 11-03837-SEK

CHAPTER 13

**NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN  
AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

COMES NOW, **ESPERANZA DE LA CRUZ** debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays:

1. Debtor is hereby submitting an amended Plan dated July 8, 2011 herewith and attached to this motion.

2. This amended Chapter 13 Plan is filed to specify when 18 months for making lump sum in plan will commence and to provide for Adequate Protection payments to Muebleria Berrios.

**I CERTIFY** that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants, debtor, Esperanza De La Cruz and to all creditors and parties in the above captioned case.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 8<sup>th</sup> day of July, 2011.

/s/ Roberto Figueroa Carrasquillo

ROBERTO FIGUEROA CARRASQUILLO

USDC #203614

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United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. **11-03837-13**

**DE LA CRUZ, ESPERANZA**

Chapter **13**

Debtor(s)

**CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

<b>PLAN DATED:</b> <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		<input checked="" type="checkbox"/> <b>AMENDED PLAN DATED: 7/08/2011</b> Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
<b>I. PAYMENT PLAN SCHEDULE</b>		<b>II. DISBURSEMENT SCHEDULE</b>	
<div style="display: flex; justify-content: space-between;"><div>\$ <b>150.00</b> x <b>12</b> = \$ <b>1,800.00</b></div><div>\$ <b>430.00</b> x <b>48</b> = \$ <b>20,640.00</b></div></div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"><div>\$ _____ x _____ = \$ _____</div><div>\$ _____ x _____ = \$ _____</div><div>\$ _____ x _____ = \$ _____</div></div> <div style="text-align: right; margin-top: 10px;"><b>TOTAL: \$ 22,440.00</b></div>		<div>A. ADEQUATE PROTECTION PAYMENTS OR \$ _____</div> <div>B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. <b>ORIENTAL BANK &amp; Cr.</b> # <b>61010010036072</b> # _____ # _____ \$ <b>5,408.00</b> \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. <b>COND. BORINQUEN Cr. MUEBLERIA BERRIC</b> # <b>C-116</b> # <b>2304967204</b> # _____ \$ <b>8,729.81</b> \$ <b>1,711.28</b> \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: 5. <input type="checkbox"/> Other: 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <b>ORIENTAL BANK &amp;</b> C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements.</div>	
<div>Additional Payments: \$ <b>5,000.00</b> to be paid as a LUMP SUM within <b>18 months</b> with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: <input checked="" type="checkbox"/> Other: <b>Claim for Damages expected to receive on 1/2012</b>  Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____</div>		<div>C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements.</div>	
<div style="text-align: center;"><b>PROPOSED BASE: \$ 27,440.00</b></div>		<div style="text-align: center;"><b>OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)</b> *Any non-exempt proceeds from debtor's lawsuit against Banco Bilbao Vizcaya will be paid into the plan and the plan's base will be deemed amended automatically*. DEBTOR(S) will pay GENERAL UNSECURED in full (100% + 6% interest per annum), under Chapter 13 Plan. Debtor(s) to provide ADEQUATE PROTECTION PAYMENTS to Muebleria Berrios thru the Trustee in the sum \$20.00 per month for the next eight months or until confirmation. *Or as otherwise specified on proof of claim. Late filed claims filed by creditors will receive no distribution. Debtor reserves the right to object claims after plan confirmation.</div>	
<div style="text-align: center;"><b>III. ATTORNEY'S FEES</b> (Treated as § 507 Priorities)  Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <b>2,854.00</b></div>			
<div>Signed: <b>/s/ ESPERANZA DE LA CRUZ</b> Debtor   Joint Debtor</div>			

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